

Docket No. 0557-4630-3

IN RE APPLICATION OF: MASAMICHI YAMADA

SERIAL NO: 09/277,222

FILED: MARCH 26, 1999

FOR: FIXING DEVICE USING A BELT FOR AN IMAGE FORMING APPARATUS

RESPONSE UNDER 37 CFR 1.116-  
EXPEDITED PROCEDURE EXAMINING  
GROUP 2852

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

- ☒ No additional fee is required
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☒ Additional documents filed herewith: Letter Requesting Approval of Drawing Changes

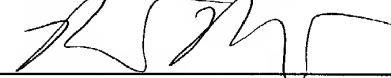
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The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	31	MINUS	33	0	× \$18 =	\$0.00
INDEPENDENT	1	MINUS	3	0	× \$78 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$260 =	\$0.00
		TOTAL OF ABOVE CALCULATIONS				\$0.00
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
		TOTAL				\$0.00

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- ☒ If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Registration No. 25,599

Robert C. Mattson  
Registration No. 42,850

Fourth Floor  
1755 Jefferson Davis Highway  
Arlington, Virginia 22202  
Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 11/98)

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0557-4630-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF :  
MASAMICHI YAMADA : GROUP: 2852  
SERIAL NO. 09/277,222 : EXAMINER: CHEN  
FILED: MARCH 26, 1999 :  
FOR: FIXING DEVICE USING A BELT  
FOR AN IMAGE FORMING APPARATUS

AMENDMENT

ASSISTANT COMMISSIONER FOR PATENTS  
Washington, D.C. 20231

SIR:

In response to the Office Action of November 10, 1999, please amend the above-identified patent application as follows:

IN THE SPECIFICATION

Page 12, line 18, after "layer" insert --~~14a~~--.

Page 13, line 10, after "material" insert --~~14b~~--.

Page 17, line 9, after "material" insert --~~12a~~--;

line 19, after "layer" insert --~~12a~~--;

line 21, after "layer" insert --~~12a~~--;

line 25, after "material" insert --~~12a~~--.

IN THE CLAIMS

Please amend the claims as follows:

Please cancel claims 3 and 10 without prejudice.

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entry approval (se) 3/28/00

Please amend claims 1, 4, 11, and 18 as follows:

1. (Amended) A fixing device for fixing a toner image formed on a recording medium, comprising:

a fix roller having a surface layer covered with a sponge-like heat insulating material having a thickness which is more than 17% of a diameter of said fix roller inclusive;

an endless belt passed over a plurality of rollers including the fix roller;

a press roller pressed against a portion of said belt passed over [a] the fix roller [belonging to said plurality of rollers]; and

a heat source for applying heat to the toner image carried on the recording medium being conveyed via a nip where said belt and said press roller are pressed against each other;

said nip having a width greater than 25° inclusive in terms of a circumferential angle as seen from an axis of said fix roller.

Claim 4, line 1, change "~~3~~" to --2--.

Claim 11, line 1, change "~~10~~" to --1--.

Claim 18, line 1, change "~~10~~" to --1--.

#### REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 2, 4-9, and 11-33 are pending. The present amendment cancels claims 3 and 10 and amends claims 1, 4, 11, and 18. The changes to the claims are supported by the specification on page 10, line 24, to page 11, line 10, for example. Thus, the changes to the claims are believed to be fully supported by the originally filed disclosure.

The present amendment is submitted in accordance with the provisions of 37 C.F.R. § 1.116, which after final rejection permits entry of amendments placing the claims in better form for consideration on appeal. As the present amendment is believed to overcome the outstanding objection to the drawings as well as the rejections under 35 U.S.C. §§ 102 and 103, the present amendment places the application in better form for consideration on appeal. It is therefore respectfully requested that 37 C.F.R. § 1.116 be liberally construed, and that the present amendment be entered.

At numbered paragraph 2 of the outstanding Office Action, the drawings were objected to for not showing every feature of the invention specified in the claims. In response, applicant has amended the specification to include reference numerals designating the features noted in numbered paragraph 2 of the outstanding Office Action. Additionally, applicant proposes to make corresponding change to the drawings, as shown in the letter to the Draftsperson submitted herewith. The drawing changes add reference numerals and lead lines designating the features noted in numbered paragraph 2 of the outstanding Office Action. Therefore, the objection to the drawings is believed to have been overcome. If, however, the examiner disagrees, the examiner is invited to telephone the undersigned, who will be happy to work with the examiner to make any further changes to the specification and drawings that the examiner deems necessary for compliance with 37 C.F.R. § 1.83(a).

In the outstanding Office Action, claims 1, 2, 17, 30, and 32 were rejected under 35 U.S.C. § 102(e) as being anticipated by Moser. Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser in view of Hayashi et al. Claims 24 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser in view of Hayashi et al. and further in view of Ohtsuka et al. Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser in view of Hayashi et al. and Ohtsuka et al. and further in

view of Yamamoto et al. Claims 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser in view of Ohtsuka et al. Claim 29 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser in view of Ohtsuka et al. and further in view of Yamamoto et al. Claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser in view of Yamamoto et al. Claim 33 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Moser in view of Yamamoto et al. Claims 3-16 and 18-22 were objected to as being dependent upon a rejected base claim, but were indicated as allowable if rewritten in independent form.

In response to the outstanding rejection of claim 1 on the merits, applicant has amended claim 1 to define a heat insulating material having a thickness which is more than 17% of a diameter of a fix roller inclusive. This feature was formerly recited in canceled claims 3 and 10 with regard to the surface layer of the belt. As amended, claim 1 defines that the fixed roller has a surface layer covered with a sponge-like heat insulating material having a thickness which is more than 17% of a diameter of the fix roller inclusive. None of the applied references are believed to teach or suggest this feature. Accordingly, the applied references, when considered alone or in any proper combination, are not believed to anticipate or make obvious the invention of claim 1.

Therefore, applicant respectfully submits that claim 1 is patentably distinguishable over the applied references. Since claims 2, 4-9, and 11-33 depend directly or indirectly from claim 1, it is also submitted that claims 2, 4-9, and 11-33 are patentably distinguishable over the applied references for at least the same reasons as claim 1.

In view of the foregoing discussion, no further issues are believed to be outstanding in the present application. Therefore, applicant respectfully requests that this application be allowed and be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'GJ Maier', with a long horizontal flourish extending to the right.

Gregory J. Maier  
Attorney of Record  
Registration No. 25,599  
Robert C. Mattson  
Registration No. 42,850

1755 Jefferson Davis Highway  
Fourth Floor  
Arlington, Virginia 22202  
(703) 413-3000  
Facsimile (703) 413-2220  
GJM:RCM:djn  
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